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10/712,076	11/13/2003	John Fawcett JR.	TAM-001	7931

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BOSTON, MA 02109-2881

EXAMINER
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MCCORMICK, GABRIELLE A

ART UNIT	PAPER NUMBER
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3629

NOTIFICATION DATE	DELIVERY MODE
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06/11/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/712,076	<b>Applicant(s)</b> FAWCETT ET AL.	
	<b>Examiner</b> Gabrielle McCormick	<b>Art Unit</b> 3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 May 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 37-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 37-45 is/are rejected.
- 7) ☒ Claim(s) 38 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Status of Claims***

1. This action is in reply to the amendment filed on May 22, 2009.
2. Claims 37 and 38 have been amended.
3. Claims 39-45 have been added.
4. Claims 1-36 have been canceled.
5. Claims 37-45 are currently pending and have been examined.

### ***Claim Objections***

6. Claim 38 is objected to for incorrectly labeling the status of the claim as "original". It is clear that the claim was amended. Appropriate corrective is required.

### ***Claim Rejections - 35 USC § 112***

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
8. Claims 37-45 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
9. Claim 37 recites the limitation: "the associations of the captured information". The term, "the associations" lacks proper antecedent basis. Additionally, it is unclear what the term "each" refers to with regard to group membership privileges. It is not clear whether the term refers to each of the client computers or each of (i), (ii), (iii), and (iv).
10. Claims 38, 42, 43 and 45 contain terms that lack proper antecedent basis. Claim 38: "the updated information"; Claim 42: "the first topic; "the second topic"; Claims 43 and 44: "the modifications".
11. The previous rejection to claim 33 is withdrawn as a result of the cancellation of this claim.

***Previous Claim Rejections - 35 USC § 101***

12. The previous rejections to claims 1-36 are withdrawn as a result of Applicant's cancellations of the claims.

***Claim Rejections - 35 USC § 103***

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. **Claims 37, 39, 40, 42 and 45** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoovers (documents retrieved from the Internet Archive at <http://web.archive.org/web/20001021183850/hoovers.com/industry/description/0,22052320...> and <http://web.archive.org/web/20001010055534/hoovers.com/co.capsule/7/0,2163,1000700.ht...>) in view of Pope et al. (US Pub. No. 2003/0131013, hereinafter referred to as "Pope") in view of Eynard et al. (US Pub. No. 2002/0174050, hereinafter referred to as "Eynard").
15. **Claims 37 and 45:** Hoovers discloses a central server providing captured information ("AAR CORP." information (pg. 2)) associated with a topic ("Aerospace/Defense – Maintenance & Service") that has a relation to other topics ("Sector: Aerospace & Defense") to client computers via the Internet (the server is inherent to the Internet, as well as a communication module. Hoovers further discloses other relationships including "Subsidiaries/Divisions", "Top Competitors" and "More Competitors" (pg. 2). Access to some information is provided exclusively to members (i.e., establishing a group membership privilege).
16. Hoovers does not disclose receiving information from client computers based on group membership privileges.

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17. Pope, however, discloses a plurality of client computers (P[0072]) and a server and communications module ([0071: the network inherently comprises a server); a topic definition module, a relationship definition module for defining a relationship between topics; computer applications for capturing information and an information management module for associating the captured information with at least one of the topics; (P[0014-0016]: users enter data about relationships between entities (entities and topics are considered synonymous as they relate to information (P[0082])). The server receives from and distributes to client computers defined topics, defined relationships, captured information associated with the topics (P[0046] and [0124]).
18. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included receiving information from client computers related to topics, relationships and associated information, as disclosed by Pope, in the system disclosed by Hoover, for the motivation of providing a method of providing a collaborative means to build an information resource. It is obvious to have users of client computers provide informational data as a way to create and maintain relevancy of the database.
19. Eynard discloses "UsePrerequisites" that include group dependencies and include conventional data access control to particular records, including permission to read, write, modify, create, etc. (P[0045]).
20. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have included write/create permission based on group membership, as disclosed by Eynard, in the system of Pope for the motivation of ensuring data integrity by controlling data record access as determined by user or group privileges in order to prevents either the addition of unreliable data (Eynard: P[0045]) or access where prior payment is expected (Eynard: P[0052]).
21. **Claim 39:** Hoovers discloses a web page.
22. **Claim 40:** Hoovers does not explicitly disclose a database, however, Pope discloses a database (P[0014]).

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23. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have included a database, as disclosed by Pope, in the system of Hoovers for the motivation of providing an efficient means to store and relate data.
24. **Claim 42:** Hoovers discloses unidirectional (Industry – Company; Company – index) and bi-directional (company - competitors) relationships.
25. **Claims 38, 41, 43 and 44** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoovers (documents retrieved from the Internet Archive at <http://web.archive.org/web/20001021183850/hoovers.com/industry/description/0,22052320...> and <http://web.archive.org/web/20001010055534/hoovers.com/co.capsule/7/0,2163,1000700.ht...>) in view of Pope et al. (US Pub. No. 2003/0131013, hereinafter referred to as “Pope”) in view of Eynard et al. (US Pub. No. 2002/0174050, hereinafter referred to as “Eynard”) in view of Henderson et al. (US Pub. No. 2003/0009536, hereinafter referred to as “Henderson”).
26. **Claims 38, 41, 43 and 44:** Hoovers/Pope does not disclose receiving updated information, distributing the modifications asynchronously or on demand or a rules engine for governing relationships.
27. Henderson, however, discloses a collaborative knowledge management system using a database server for storage, relationships (associated with a set of rules), (i.e., a rules engine) to associate data objects and rules to define user privileges (P[0017]). The invention uses networked computers to collaborate, save, retrieve, form and share knowledge (P[0035]), thus disclosing that various users have the capability to retrieve, form and share knowledge. A messaging component receives and transmits data (P[0056]). The system allows a large number of users to access a single information repository to edit, store and retrieve content. (P[0064]). Users edit documents asynchronously. (P[0067]). Users retrieve data (P[0064]), therefore updated data is provided to the user upon request. CKMS provides real-time updating, therefore users edit and review the latest information. (P[0069]). .

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28. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have included the details of groupware works, as disclosed by Henderson, in the system of Pope because Pope discloses a collaborative environment and states "an individual's activity may also be linked to the activities of others, who may be collaborating with the individual and sharing the same or overlapping foci to varying extents." (P[0007]). Henderson states that "Systems and methods generally directed to collaboration, knowledge management and groupware systems are known." (P[0002]). Therefore, the combination of Henderson with Pope is both predicted by Pope and known in the art, thus the combination would merely result in the combination of old elements and in the combination, each element would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

### ***Response to Arguments***

29. Applicant's arguments with respect to claim 37 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

30. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
31. The following U.S. patent are cited to further show the best domestically patented prior art found by the examiner:
- a. U.S. Pat. No. 5,842,221 to Schmonsees
32. Additional Literature has been referenced on the attached PTO-892 form, and the Examiner suggests the applicant review these documents before submitting any amendments.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gabrielle McCormick whose telephone number is (571)270-1828. The examiner can normally be reached on Monday - Thursday (5:30 - 4:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 571-272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/G. M./  
Examiner, Art Unit 3629



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/JOHN G. WEISS/

Supervisory Patent Examiner, Art Unit 3629